UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.15/1998/1
23 February 1998

ORIGINAL: ENGLISH

COMMISSION ON CRIME PREVENTION
AND CRIMINAL JUSTICE
Seventh session
Vienna, 21-30 April 1998
Item 2 of the provisional agenda

ADOPTION OF THE AGENDA AND ORGANIZATION OF WORK

Provisional agenda

1. Election of officers.

2. Adoption of the agenda and organization of work.

3. Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders.

4. Promotion and maintenance of the rule of law: action against corruption and bribery.

5. Criminal justice reform and strengthening of legal institutions: measures to regulate firearms.

6. International cooperation in combating transnational crime:

   (a) Implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime: question of the elaboration of an international convention against organized transnational crime, and other possible international instruments;

   (b) Mutual assistance and international cooperation in criminal matters.

7. Use and application of United Nations standards and norms in crime prevention and criminal justice:

   (a) Administration of juvenile justice;

   (b) Victims of crime and abuse of power.

V98-51176 (E)

8. Technical cooperation, including resource mobilization, and coordination of activities:

   (a) Technical cooperation;

   (b) Resource mobilization.

9. Strategic management and programme questions:

   (a) Strategic management by the Commission on Crime Prevention and Criminal Justice of the United Nations Crime Prevention and Criminal Justice Programme;

   (b) Programme questions.

10. Provisional agenda for the eighth session of the Commission.

11. Adoption of the report of the Commission on its seventh session.

Annotations

1. Election of officers

In accordance with rules 15 and 16 of the rules of procedure of the functional commissions of the Economic and Social Council (E/5975/Rev.1), the Commission on Crime Prevention and Criminal Justice at its seventh session will elect a Chairman, three Vice-Chairmen and a Rapporteur to serve from the beginning of its seventh session to the beginning of its eighth session.

In accordance with Commission decision 1/101, the post of Chairman of the seventh session of the Commission is to be occupied by a member of the group of eastern European States and the post of Rapporteur by a member of the group of African States.

The Commission, in its resolution 5/3, recommended that the regional groups should, whenever possible, strive for continuity in the composition of its bureau, in particular by electing at least one of the retiring officers of the previous bureau of each session to serve in the next bureau.

The membership of the Commission at its seventh session is given in the annex.

2. Adoption of the agenda and organization of work

In its decision 1997/232, the Council approved the provisional agenda for the seventh session of the Commission and decided that each session of the Commission should have one prominent theme and that the theme for the seventh session of the Commission should be "Organized transnational crime". Furthermore, the Council decided that the Commission, from its seventh session onwards, in addition to plenary meetings, should be provided with full interpretation services for a total of 12 meetings for informal consultations on draft proposals and for meetings of open-ended working groups, with the precise allocation of time for the different types of meetings to be determined by the Commission at its seventh session under its agenda item entitled "Adoption of the agenda and organization of work", on the understanding that no more than two meetings would be held concurrently.

Following the adoption of the agenda, the Commission may wish to take a decision on its organization of work and establish its timetable for the session. A provisional timetable for consideration by the Commission (E/CN.15/1998/1/Add.1) was approved by its bureau and discussed at the inter-sessional consultation meeting held on 20 February 1998.

The proceedings of the Commission are governed by the rules of procedure of the functional commissions.

Documentation

Proposed organization of work for the seventh session of the Commission on Crime Prevention and Criminal Justice (E/CN.15/1998/1/Add.1)

3. Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

In accordance with General Assembly resolution 46/152, annex, the Commission acts as the preparatory body for the United Nations congresses on the prevention of crime and the treatment of offenders.

In its resolution 52/91, on the preparations for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, the General Assembly decided that the Tenth Congress should be held in the year 2000, and that four substantive topics should be included in its provisional agenda, together with four workshops. In the same resolution, the Assembly invited Member States to be represented at the Tenth Congress at a high political level, decided that the first two days of the plenary session at the Tenth Congress would be reserved primarily for statements by heads of State, government ministers and attorneys-general and requested the Secretary-General to prepare an overview of the state of crime and criminal justice worldwide for presentation at the opening of the Tenth Congress. The Commission may wish to consider ways to encourage participation at the highest political level and to give consideration to the preparation of the overview of the state of crime and criminal justice worldwide.

The Commission at its seventh session is expected to finalize all organizational arrangements for the Tenth Congress, including its programme, dates and duration, documentation and venue, and to report through the Economic and Social Council to the General Assembly. The Commission will have before it a report of the Secretary-General on progress made in the preparations for the Tenth Congress (E/CN.15/1998/2), as well as a draft discussion guide for the regional preparatory meetings, covering both the substantive topics and the workshops (E/CN.15/1998/2/Add.1 and 2).

Documentation

Report of the Secretary-General on progress made in the preparations for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (E/CN.15/1998/2)

Draft discussion guide for the regional preparatory meetings for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and on demonstration and research workshops (E/CN.15/1998/2/Add.1 and 2)

4. Promotion and maintenance of the rule of law: action against corruption and bribery

In its resolution 52/87, on international cooperation against corruption and bribery in international commercial transactions, the General Assembly agreed that all States should take all possible measures to further the implementation of the United Nations Declaration against Corruption and Bribery in International Commercial Transactions (Assembly resolution 51/191, annex) and of the International Code of Conduct for

Public Officials (Assembly resolution 51/59, annex). The Assembly urged Member States to implement relevant international declarations, to ratify international instruments against corruption and to criminalize the bribery of public office holders in other States in international commercial transactions and encouraged them to engage in programmatic activities to deter, prevent and combat bribery and corruption.

In the same resolution, the General Assembly requested the Secretary-General to invite each Member State to provide a report on steps taken to implement the Declaration, as well as on national anti-corruption strategies and policies, for compilation by the Secretary-General and distribution and consideration by the Commission, with a view to examining further steps to be taken in that direction. The Assembly invited competent international, regional and non-governmental organizations to provide relevant information to the Commission on international efforts to combat corruption and bribery.

The Commission at its seventh session will have before it a report of the Secretary-General on action against corruption and bribery (E/CN.15/1998/3).

Documentation

Report of the Secretary-General on action against corruption and bribery (E/CN.15/1998/3)

5. Criminal justice reform and strengthening of legal institutions: measures to regulate firearms

In its resolution 1997/28, on firearm regulation for the purpose of crime prevention and public health and safety, the Economic and Social Council encouraged Member States to consider regulatory approaches to the civilian use of firearms and requested the Secretary-General to continue the data collection and dissemination of information on firearm regulation. In the same resolution, the Council requested the Secretary-General to seek the views of Member States, institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network, relevant United Nations entities and intergovernmental and non-governmental organizations on the development of a declaration of principles on firearm regulation. Pursuant to Council resolutions 1996/28 and 1997/28, the Secretary-General convened four regional training workshops on issues concerning firearm regulation, which included in their programmes the possible development of a declaration of principles.

The report of the Secretary-General on measures to regulate firearms (E/CN.15/1998/4), which covers the results of the workshops, will be before the Commission at its seventh session for its consideration. The Commission will also have before it a publication containing the results of the United Nations International Study on Firearm Regulation.

Documentation

Report of the Secretary-General on measures to regulate firearms (E/CN.15/1998/4)

Results of the United Nations International Study on Firearm Regulation (E/CN.15/1998/CRP.1)

6. International cooperation in combating transnational crime

(a) Implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime: question of the elaboration of an international convention against organized transnational crime, and other possible international instruments

In its resolution 52/85, on follow-up to the Naples Political Declaration and Global Action Plan against Organized Transnational Crime, the General Assembly urged States to continue implementing its provisions and established an inter-sessional open-ended intergovernmental group of experts for the purpose of elaborating a preliminary draft of a possible comprehensive international convention against organized transnational crime. The report of the meeting of the intergovernmental group of experts (E/CN.15/1998/5), which was hosted by the Government of Poland and held at Warsaw from 2 to 6 February 1998, will be before the Commission for its consideration.

In the same resolution, the General Assembly called upon the United Nations Development Programme, the World Bank and other international, regional and national funding agencies to give favourable consideration to project proposals on strengthening national or regional capacities and creating the expertise required for the prevention and control of organized transnational crime and money-laundering.

Also in its resolution 52/85, the General Assembly requested the Commission to report to it at its fifty-third session, through the Economic and Social Council, on the progress achieved in its work on that question. A report of the Secretary-General on the subject (E/CN.15/1998/6) will be before the Commission.

Pursuant to General Assembly resolutions 49/159, 51/59, 51/120 and 51/191, the African Regional Ministerial Workshop on Organized Crime and Corruption was held at Dakar from 21 to 23 July 1997, at the invitation of the Government of Senegal. The Asian Regional Ministerial Workshop on Organized Crime and Corruption is to be held at Manila from 23 to 25 March 1998, at the invitation of the Government of the Philippines. The recommendations of the workshops (E/CN.15/1998/6/Add.1 and 2) will be before the Commission for its consideration.

(b) Mutual assistance and international cooperation in criminal matters

In section II of its resolution 52/88, on international cooperation in criminal matters, the General Assembly decided that the Model Treaty on Extradition (Assembly resolution 45/116, annex) should be complemented with certain provisions, contained in the annex to the resolution, and requested the Secretary-General to elaborate model legislation to assist Member States in giving effect to the Model Treaty. In section I of that resolution, the Assembly also requested the Secretary-General to convene a meeting of an intergovernmental expert group to examine practical recommendations for the further development and promotion of mutual assistance in criminal matters.

Accordingly, a Meeting of the Intergovernmental Group of Experts on Mutual Assistance on Criminal Matters was held at Washington, D.C., from 23 to 26 February 1998. A report of the Secretary-General containing the recommendations emanating from that Meeting (E/CN.15/1998/7) will be before the Commission for its consideration.

Documentation

Report of the meeting of the inter-sessional open-ended intergovernmental group of experts on the elaboration of an international convention against organized transnational crime (E/CN.15/1998/5)

Report of the Secretary-General on the implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime: question of the elaboration of an international convention against organized transnational crime (E/CN.15/1998/6)

Report of the Secretary-General on the recommendations of the African Regional Ministerial Workshop on Organized Transnational Crime and Corruption, held at Dakar from 21 to 23 July 1997 (E/CN.15/1998/6/Add.1)

Report of the Secretary-General on the recommendations of the Asian Regional Ministerial Workshop on Organized Transnational Crime and Corruption, held at Manila from 23 to 25 March 1998 (E/CN.15/1998/6/Add.2)

Report of the Secretary-General on mutual assistance and international cooperation in criminal matters (E/CN.15/1998/7)

7. Use and application of United Nations standards and norms in crime prevention and criminal justice

The Economic and Social Council, in its resolution 1992/22, section VII, decided that the Commission should include in its agenda a standing item on existing United Nations standards and norms in the field of crime prevention and criminal justice, including their use and application.

In its resolution 1997/32, on the United Nations standards and norms in crime prevention and criminal justice, the Economic and Social Council requested the Secretariat to prepare the relevant survey instruments on the United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules) (General Assembly resolution 45/111, annex), the Guidelines on the Role of Prosecutors and the Basic Principles on the Role of Lawyers for submission to the Commission at its seventh session.

(a) Administration of juvenile justice

The Economic and Social Council, in its resolution 1996/16, requested the Secretary-General to submit to the Commission at its seventh session a report on the use and application of the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules) (General Assembly resolution 40/33, annex), the United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines) (Assembly resolution 45/112, annex) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (Assembly resolution 45/113, annex). That report of the Secretary-General (E/CN.15/1998/8/Add.1) will be before the Commission at its seventh session.

In its resolution 1997/30, on the administration of juvenile justice, the Economic and Social Council welcomed the Guidelines for Action on Children in the Criminal Justice System, annexed to that resolution, and invited the Crime Prevention and Criminal Justice Division (now called the Centre for International Crime Prevention) of the Secretariat and other entities of the United Nations system to give favourable consideration to requests of Member States for technical assistance in the field of juvenile justice. In the same resolution, the Council called on Member States to contribute financial and other resources to project activities designed to assist in the use of the Guidelines for Action. In addition, the Council invited the Secretary-General to strengthen the system-wide coordination of activities in that field and to consider establishing a coordination panel on technical advice and assistance in juvenile justice, to be convened at least annually with a view to coordinating international activities in that field. Accordingly, the Secretary-General organized a meeting to formulate a strategy for the establishment of a coordination panel on technical assistance in juvenile justice. The results of that meeting will be before the Commission (E/CN.15/1998/8).

(b) Victims of crime and abuse of power

In its resolution 1997/31, on victims of crime and abuse of power, the Economic and Social Council urged Governments to make effective use of the provisions contained in the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (General Assembly resolution 40/34, annex). In the same resolution, the Council took note of the results of two expert group meetings on victims of crime and abuse of power in the international setting: one held at Tulsa, Oklahoma, United States, from 10 to 12 August 1996 and the other held at The Hague from 5 to 7 March 1997. The meetings had proposed the elaboration of a manual as a strategic guide for policy makers and of a handbook as a resource tool for practitioners. In the same resolution, the Council welcomed the invitation of the Government of the United States of America to act as host to an expert group meeting in order to complete the work on the proposed handbook. The Council requested the Secretary-General to seek the views of Governments on the manual and the handbook and, drawing on the observations received, to finalize their texts for submission to the Commission at its seventh session. In addition, the Council invited Governments to make proposals regarding the elaboration of a plan of action, with emphasis on United Nations activities such as technical cooperation, to promote the effective use and application of the Declaration, as well as the use of the manual and the handbook.

Documentation

Report of the Secretary-General on the use and application of United Nations standards and norms in crime prevention and criminal justice (E/CN.15/1998/8 and Add.1)

Survey instruments on the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules), the Guidelines on the Role of Prosecutors and the Basic Principles on the Role of Lawyers (E/CN.15/1998/CRP.3)

Manual and handbook on victims of crime and abuse of power (E/CN.15/1998/CRP.4)

Report of the Fourth Expert Group Meeting on Victims of Crime and Abuse of Power in the International Setting, 26-27 February 1998, Washington, D.C. (E/CN.15/1998/CRP.8)

8. Technical cooperation, including resource mobilization, and coordination of activities

(a) Technical cooperation

In its resolution 1997/35, on technical cooperation and international advisory services in crime prevention and criminal justice, the Economic and Social Council expressed its concern at the lack of adequate resources, which might impede progress in the further operationalization of the United Nations Crime Prevention and Criminal Justice Programme and hamper the implementation of those projects that had been elaborated in response to urgent requests from countries in need. In the same resolution, the Council requested the Secretary-General to further enhance the resources required for the operational activities of the Programme, including travel funds for the mobilization of resources and special efforts for fund-raising, and to include in his programme budget proposals for the biennium 1998-1999, under the section on technical cooperation, adequate funds for maintaining two posts of interregional advisers in crime prevention and criminal justice and for further strengthening the interregional advisory services to support technical assistance activities. In addition, the Council called upon potential donors and relevant funding agencies to make significant and regular financial and/or other contributions for the formulation, coordination and implementation of technical assistance projects elaborated within the framework of the United Nations Crime Prevention and Criminal Justice Programme and to strengthen the mandated role of the Programme as facilitator of bilateral assistance.

The General Assembly, in its resolution 52/90, reaffirmed the high priority attached to technical cooperation and advisory services in the field of crime prevention and criminal justice and stressed the need to continue to improve the operational activities of the Programme. In the same resolution, the Assembly called upon States and United Nations funding agencies to make significant financial contributions for the operational activities and encouraged all States to make voluntary contributions for that purpose to the United Nations Crime Prevention and Criminal Justice Fund. The Assembly also called upon all relevant programmes, funds and organizations of the United Nations system, in particular the United Nations Development Programme, the World Bank and other international, regional and national funding agencies to support technical operational activities in that field. The Assembly requested the Secretary-General to submit to it at its fifty-third session a report on the implementation of the resolution. The Commission may wish to consider ways and means of encouraging the implementation of the resolution.

The Commission at its seventh session will have before it a report of the Secretary-General on technical cooperation (E/CN.15/1998/9).

(b) Resource mobilization

In its resolution 6/1, section II, the Commission expressed its appreciation to the members of the informal consultative group on resource mobilization and decided that the group should also serve as a mechanism for resource mobilization and coordination of activities in the area of technical assistance, as envisaged in Commission resolution 5/2, paragraph 15. In addition, the Commission requested the members of the group to continue their work and to report thereon to it at its seventh session.

In the same section of that resolution, the Commission called on Member States to contribute to the United Nations Crime Prevention and Criminal Justice Fund to cover the cost of support for developing and administering the technical cooperation component of the Programme and to review the projects submitted by the informal consultative group on resource mobilization with a view to providing for their funding.

Documentation

Report of the Secretary-General on technical cooperation (E/CN.15/1998/9)

Report on the activities undertaken and results achieved by the informal consultative group on resource mobilization (E/CN.15/1998/CRP.5)

Updated version of the compendium of technical cooperation projects (E/CN.15/1998/CRP.6)

9. Strategic management and programme questions

(a) Strategic management by the Commission on Crime Prevention and Criminal Justice of the United Nations Crime Prevention and Criminal Justice Programme

In section I of its resolution 6/1 on strategic management, the Commission endorsed the recommendations of its bureau with respect to the streamlining of its substantive agenda and organization of work. In addition, the Commission requested the bureau to report annually on its inter-sessional work and, for the consideration of the Commission at its seventh session, to develop recommendations concerning the criteria that could be used by the Commission as a guide to determine which types of agenda items should be submitted to the session that would follow.

In the same section of that resolution, the Commission requested its Chairman to convene an informal working group of its members to undertake a review of the programme mandates and resources with a view to establishing a more realistic relationship between them. In addition, the Commission decided that the informal working group should present a report on its findings for consideration by the Commission at its seventh session.

(b) Programme questions

In its resolutions 52/12 A and B on renewing the United Nations: a programme for reform, and 52/220 of 26 December 1997 on questions relating to the proposed programme budget for the biennium 1998-1999, the General Assembly endorsed a number of recommendations affecting the United Nations Crime Prevention and Criminal Justice Programme and the Commission. The Commission may wish to examine the recommendations outlined in the report of the Secretary-General on strategic management and programme questions (E/CN.15/1998/10) and to consider ways to implement them.

Documentation

Report of the Secretary-General on strategic management and programme questions (E/CN.15/1998/10)

Report of the informal working group on the review of the programme mandates and resources (E/CN.15/1998/CRP.2)

Report of the bureau of the Commission on Crime Prevention and Criminal Justice at its sixth session on its inter-sessional work (E/CN.15/1998/CRP.7)

10. Provisional agenda for the eighth session of the Commission

In accordance with rule 9 of the rules of procedure, the Commission will have before it the provisional agenda for its eighth session, together with an indication of the documents to be submitted under each agenda item and the legislative authority for their preparation.

11. Adoption of the report of the Commission on its seventh session

It is expected that the Commission will adopt the report of its seventh session on the afternoon of the last day of its session.

Annex

MEMBERSHIP OF THE COMMISSION ON CRIME PREVENTION AND CRIMINAL JUSTICE AT ITS SEVENTH SESSION, TO BE HELD AT VIENNA FROM 21 TO 30 APRIL 1998

	Year in which three-year term expires on 31 December
Argentina	2000
Austria	1999
Benin	2000
Bolivia	1999
Botswana	2000
Brazil	2000
China	2000
Colombia	1999
Costa Rica	2000
Côte d'Ivoire	2000
Ecuador	2000
Egypt	1999
Fiji	1999
France	2000
Gambia	1999
Germany	2000
India	2000
Iran (Islamic Republic of)	2000
Italy	2000
Jamaica	1999
Japan	1999
Lesotho	1999
Malawi	1999
Mexico	2000
Netherlands	1999
Pakistan	1999
Philippines	1999
Poland	2000
Republic of Korea	2000
Romania	2000
Russian Federation	1999
Saudi Arabia	2000
Sudan	1999
Swaziland	1999
Sweden	1999
Togo	2000
Tunisia	1999
Ukraine	1999
United States of America	2000
Zambia	1999